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In re Application of :  
WASAKI et al. :  
Application No.: 10/553,752 :  
PCT No.: PCT/JP04/05883 :  
Int. Filing Date: 23 April 2004 :  
Priority Date: 24 April 2003 :  
Attorney Docket No.: 125703 :  
For: NORMAL MODE NOISE SUPPRESSING :  
CIRCUIT :

DECISION ON  
PAPERS UNDER 37 CFR 1.42

This decision is issued in response to the declaration filed 18 October 2005 which is being treated as a request under 37 CFR 1.42. No petition fee is required.

**BACKGROUND**

On 23 April 2004, applicants filed international application PCT/JP04/05883, which claimed a priority date of 24 April 2003. Pursuant to 37 CFR 1.495, the deadline for payment of the basic national fee in the United States was to expire 30 months from the priority date, 24 October 2005.

On 18 October 2005, applicants filed a transmittal letter for entry into the national stage in the United States accompanied, inter alia, by: the basic national fee; an application data sheet; a preliminary amendment; and an executed declaration. The declaration is executed by: Yoshihiro Saitoh as inventor and Hitomi Wasaki on behalf of deceased inventor, Masaru Wasaki.

**DISCUSSION**

37 CFR 1.42 *When the Inventor is Dead*, states, in part:

In case of the death of the inventor, the legal representative (executor, administrator, etc.) of the deceased inventor may make the necessary oath or declaration, and apply for and obtain the patent.

The declaration filed 18 October 2005 is executed by Hitomi Wasaki as the legal representative of the deceased inventor and provides his/her residence, post office address and

country of citizenship. In addition, the declaration provides the residence, post office address and country of citizenship of the deceased inventor. The declaration is acceptable under 37 CFR 1.42 and complies with 37 CFR 1.497(a)-(b).

### CONCLUSION

The renewed submission under 37 CFR 1.42 is GRANTED.

The application has an international filing date of 23 April 2004 under 35 U.S.C. 363, and will be given a date of 18 October 2005 under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4).

This application is being returned to the United States Designated/Elected Office for processing in accordance with this decision.



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